

REMARKS

The Examiner is requiring the election of a single disclosed species of the following:

Species 1: one step polishing; and

Species 2: two step polishing.

Applicants have provisionally elect Species 1: one step polishing for search purposes only, with traverse.

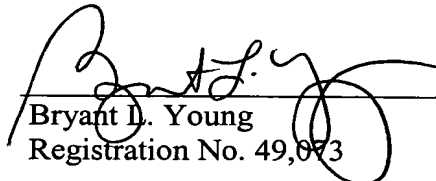
Applicants make no statement regarding the patentable distinctness of the species, but note that for restriction to be proper there must be a patentable difference between the species, as claimed. M.P.E.P. § 808.01(a). The Examiner, however, merely makes the conclusory statement that the claims are generic, without submitting any reasoning or evidence that addresses the patentable distinctness of the species.

Moreover, it appears that the Examiner misconstrues the process of claims 7 as a "one step polishing" process by which the intended polishing may be completed. However, Applicants note that the process defined in claim 7 is a part of the process as claimed in claim 8, and the process of claim 7 may be conducted as either the first step or the second step. As such, the requirement of an election of species is improper.

Accordingly, withdrawal of the election of species requirement is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon


Bryant L. Young
Registration No. 49,873

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)